

#13

PTO/SB/64 (10-00)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)  
RCA 88423

First named inventor: Harold Blatter

Application No.: 09/269,684

Group Art Unit: 2615

Filed: March 30, 1999

Examiner: Robert Chevalier

Title: Digital Recorder With Trick Play Operation

Attention: Office of Petitions  
Assistant Commissioner for Patents  
Box DAC  
Washington, D.C. 20231**RECEIVED**  
MAY 13 2004  
OFFICE OF PETITIONS**NOTE:** If information or assistance is needed in completing this form, please contact  
Petitions Information at (703)305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION****NOTE:** A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**☐ Small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$ 1330 (37 CFR 1.17(m)) Please charge deposit account 07-0832**2. Reply and/or fee****A. The reply and/or fee to the above-noted Office action in  
the form of \_\_\_\_\_ (Identify type of reply):**

- ☐ has been filed previously on \_\_\_\_\_.
- ☒ is enclosed herewith.

**B. The issue fee of \$ \_\_\_\_\_**

- ☐ has been paid previously on \_\_\_\_\_.
- ☐ is enclosed herewith.

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[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

07/22/2004 AKELLEY 00000014 070832 09269684

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Pg. 2

PTO/SB/64 (10-00)

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## 3. Terminal disclaimer with disclaimer fee

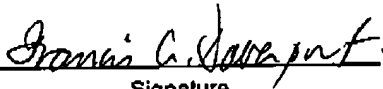
- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$\_\_\_\_\_ for a small entity or \$\_\_\_\_\_ for other than a small entity) disclaiming a period equivalent to the period of abandonment is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(II)(C) and (D))].

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March 25, 2004

Date



Signature

Telephone

Number: 609-734-6805

Francis A. Davenport, Reg. 36,318

Typed or printed name

2 Independence Way

Princeton NJ 08540

Address

Enclosures: X Fee Payment

- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unintentional delay
- ☐ \_\_\_\_\_

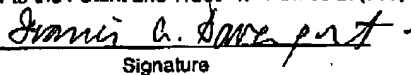
## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(A)]

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- ☒ transmitted by facsimile on the date shown below to the Patent and Trademark Office at (703) 308-6916.

3/25/04

Date



Signature

Francis A. Davenport, Reg. 36,318

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[Page 2 of 2]

Pg. 3

Serial No. 09/269,684

-1-

RCA88423

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MAR 25 2004

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Harold Blatter et al.  
Serial No. : 09/269,684  
Filed : March 30, 1999  
For : Digital Recorder With Trick Play Operation  
Examiner : Robert Chevalier  
Art Unit : 2615

*O.K.  
to enter  
upon revival  
P.C.  
5/18/04*

AMENDMENT AND RESPONSE

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In response to the Final Office Action dated March 31, 2003, the Examiner is thanked for the allowance of claims 9, 10 and 15 - 19. The following remarks are provided for the Examiner's consideration:

Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.

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*Pg. 4*

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Date: \_\_\_\_\_

Serial No. 09/269,684

-2-

RCA88423

**Listing of the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application:

6. (Cancel) A record and replay apparatus comprising:
  - a source of an MPEG bit stream signal coupled to an input of said apparatus for recording;
  - a first transducing means for recording a digital signal representative of said MPEG bit stream;
  - a control means coupled to said MPEG bit stream signal and generating a signal indicating an intra coded frame occurrence in said MPEG bit stream;
  - a second transducing means for recording and reproducing a reference signal; and,
  - means responsive to said indicating signal for generating an identifying signal for recording with said reference signal.
7. (Cancel) The recording and replay apparatus of claim 6, wherein said first transducing means reproduces said recorded signal in a reproducing mode comprising a sequence of play and fast play modes responsive to a stored sequence of play and fast play mode commands controlled by said control means.
8. (Cancel) The recording and replay apparatus of claim 7, wherein said control means initiates said reproducing mode responsive to said identifying signal coupled from said second transducing means.

*Ag-5*

Serial No. 09/269,684

-3-

RCA88423

9. (Previously amended) A recording and replay apparatus comprising:

a source of an MPEG bit stream signal coupled to said apparatus for recording;

means coupled to said MPEG bit stream signal for generating a record signal representative of said MPEG bit stream signal;

a pair of record transducers each aligned for recording said record signal and having complementary azimuth angles; and,

a control means coupled to receive a signal identifying an intra coded frame occurrence in said MPEG bit stream signal and controllably coupled to said generating means, wherein responsive to said identifying signal said control means initiates recording of a record signal representative of an intra coded frame part of said MPEG bit stream by a predetermined one of said transducer pair having a specific azimuth angle.

10. (Previously amended) A recording and replay apparatus comprising:

a source of an MPEG bit stream signal coupled to said apparatus for recording;

means coupled to said MPEG bit stream signal for generating a record signal representative of said MPEG bit stream signal

a record transducer pair having complementary azimuth angles for recording said record signal;

a recording head coupled to a control track signal generator and generating a control track signal for recording;

a control means for receiving a signal identifying an intra coded frame occurrence in said MPEG bit stream signal, said control means being controllably coupled to said record signal generating means and to said control track signal generator; and,

responsive to said identifying signal said control means enabling said record signal generating means for coupling a record signal representative of an intra coded frame part of said MPEG bit stream for recording by a predetermined one transducer of said transducer pair having a specific azimuth angle, and responsive to said identifying signal said control means modifies said control track signal for recording.

Serial No. 09/269,684

-4-

RCA88423

15. (Original) A recording and replay apparatus with trick play reproduction mode comprising the steps of:

- a) initiating a play mode;
- b) determining an average number of control track pulses occurring between I frames;
- c) selecting a trick play mode;
- d) counting control track pulses to determine an average value;
- e) testing a count for equality with said average number; and,
- f) initiating said play mode at count equality.

16. (Original) The recording and replay apparatus of claim 15, wherein said step b) additionally comprises:

controlling average determination responsive to a reproduced I frame mark.

17. (Original) The recording and replay apparatus of claim 15, wherein said step b) additionally comprises:

controlling determination of average responsive to an I frame indicator decoded from reproduced data.

18. (Original) The recording and replay apparatus of claim 15, wherein said step d) additionally comprises:

controlling counting responsive to a reproduced I frame mark.

19. (Previously added) The recording and replay apparatus of claim 10, wherein said control track signal is coupled to a single transducer and recorded with a longitudinal track placement.

*Pg. 7*

Serial No. 09/269,684

-5-

RCA88423

REMARKS

Claims 6 - 8 stand rejected under 35 U.S.C. §102 (b) as being unpatentable over Masako et al. Claims 9,10 and 15 - 19 are allowed.

Claims 6, 7, and 8 are cancelled.

Claims 9,10 and 15 - 19 are allowed and applicant respectfully requests issuance of a notice of allowance.

Respectfully submitted,

Harold Blatter et al.

25 March 2004

By:-

*Francis A. Davenport*

Francis A. Davenport  
Registration No. 36,316  
609-734-6805

Thomson Licensing, Inc.  
Patent Operations,  
Two Independence Way, Suite #200  
Princeton, NJ 08543-5312

*Pg. 8*

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<b>FEE TRANSMITTAL</b> <b>for FY 2004</b> Effective 10/01/2003. Patent fees are subject to annual revision.		Complete if Known	
		Application Number	09/289,684
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	March 30, 1999
		First Named Inventor	Harold Blatter et al.
		Examiner Name	Robert Chevalier
		Art Unit	2815
TOTAL AMOUNT OF PAYMENT (\$)		1330	Attorney Docket No. RCA88423 RECEIVED CENTRAL FAX CENTER MAR 25 2004

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number: 07-0832

Deposit Account Name: THOMSON LICENSING INC.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1806	1,840*	1806	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	650	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,610	1451	1,610	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (g)	
1808	180	1808	180	Submission of Information Disclosure Sheet	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.128(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

**SUBTOTAL (1)** (\$0)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

**SUBTOTAL (2)** (\$0)

\*For number previously paid, if greater; For Reissues, see above

**4. SUBMITTED BY**

Name (Print/Type)	FRANCIS A. DAVENPORT	Registration No. (Attorney/Agent)	36318	Telephone	1 609 734 6805
Signature	Francis A. Davenport		Date	March 25, 2004	

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450,